

ORDINANCE G-6214

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-24-16-2) FROM C-O/G-O HGT/WVR (COMMERCIAL OFFICE/GENERAL OFFICE OPTION, HEIGHT WAIVER) TO PUD (PLANNED UNIT DEVELOPMENT) WITH ALL UNDERLYING USES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 4.73 acre property located at the northwest corner of 16th Street and Wahalla Lane on a portion of Section 28, Township 4 North, Range 3 East, as described more specifically in Attachment "A," is hereby changed from "C-O/G-O HGT/WVR" (Commercial Office/General Office option, Height Waiver) to "PUD" (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Luna Azul PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 26, 2016, as modified by the following stipulations:
 - a. Page 12, G. Development Standards, 1. Development Standards Table: Revise the density to "Maximum 30 D.U., 6.35 D.U./ACRE."
 - b. Page 13, G. Development Standards, 1. Development Standards Table, Revise the footnote to read as follows:

"A minimum of eight (8) trees shall be dispersed within the private yards along the west property line. These trees shall be planted with the construction of each of the six (6) homes on the west side of the site and prior to the issuance of Certificate of Occupancies for the individual homes."
 - c. Page 16, H. Design Guidelines, first bulleted item: Revise "maybe" to "shall be" to be consistent with the similar guideline on page 18.
 - d. Page 16, H. Design Guidelines, second bulleted item: Revise "three- to five-foot" to "four-foot" to be consistent with wall standards on page 14.
 - e. Page 36, Street Cross Section Exhibit: Revise the width of Wahalla Lane to be 32 feet from face of curb to face of curb.
 - f. Page, 54, Phasing Plan, Add the following note along the west side of the site:

"Required trees shall be planted with the construction of each of the six (6) homes on the west side of the site and prior to issuance of Certificate of Occupancies for the individual homes."
2. Right-of-way totaling 25 feet shall be dedicated for the north half of Wahalla Lane, as approved by the Planning and Development Department.
3. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

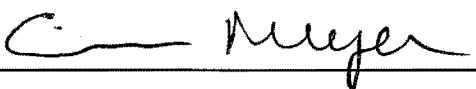
PASSED by the Council of the City of Phoenix this 5th day of October, 2016.



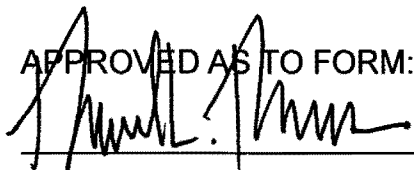


ACTING MAYOR

ATTEST:



City Clerk

APPROVED AS TO FORM:


Acting City Attorney pm1

REVIEWED BY:


ACTING
City Manager

PML:tml:1262632_1.doc (CM #41) (Rev #73) - 10/05/16

Attachments:

- A - Legal Description (1 Page)
- B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-24-16-2

A PORTION OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT **TRUE POINT OF BEGINNING**, A CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, FROM WHICH A 3/4 INCH REBAR FOUND AT THE EAST QUARTER CORNER OF SAID SECTION 28 BEARS SOUTH 00 DEGREES 00 MINUTES 57 SECONDS EAST 1981.28 FEET;

THENCE ALONG THE CENTERLINE OF WAHALLA LANE, SOUTH 89 DEGREES 29 MINUTES 00 SECONDS WEST 656.04 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 00 DEGREES 13 MINUTES 33 SECONDS WEST 307.82 FEET TO A POINT ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ARIZONA STATE ROUTE 101 FRONTAGE ROAD;

THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 00 MINUTES 00 SECONDS EAST 562.25 FEET;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE SOUTH 44 DEGREES 30 MINUTES 29 SECONDS EAST 135.53 FEET TO A POINT ALONG THE EAST LINE OF SAID SECTION 28;

THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 00 MINUTES 57 SECONDS EAST 195.43 FEET TO
THE TRUE POINT OF BEGINNING.

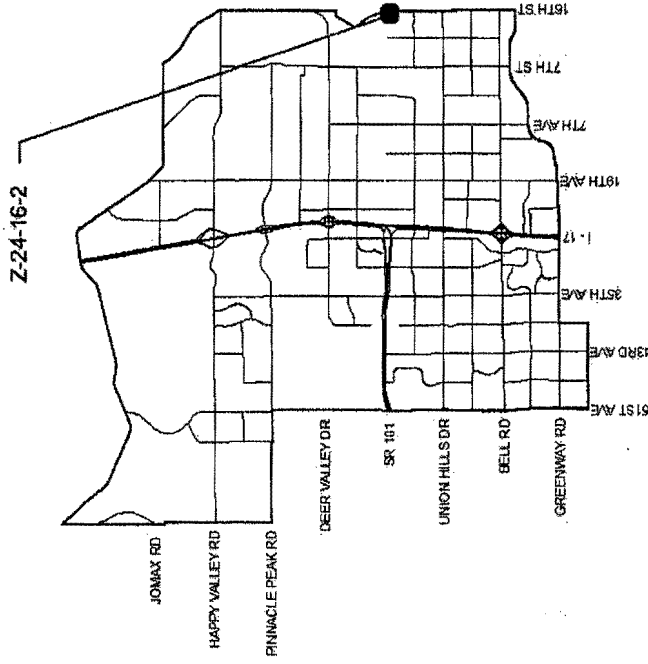
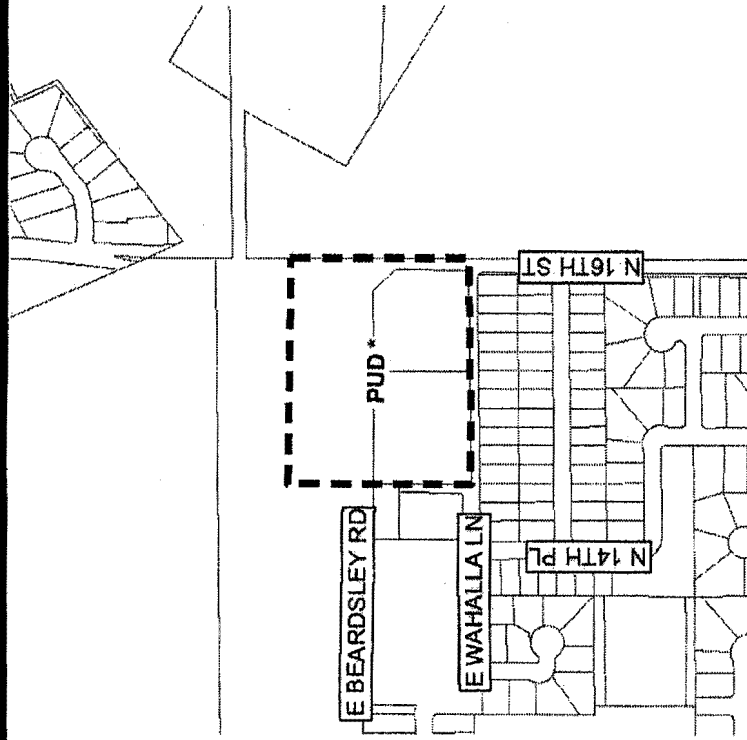
SAID PARCEL CONTAINING 191,888 SQUARE FEET OR 4.41 ACRES, MORE OR LESS.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-24-16-2
Zoning Overlay: N/A
Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE

Drawn Date: 9/8/2016

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